

claiming under the same, the chancellor, upon petition of the party to whom the said deed was executed, or of his, her or their legal representative, or of any of them, claiming the land or other thing conveyed, or intended to be conveyed, by such deed, and without the appearance or hearing of the defendant or defendants, shall have power to decree the recording of the said deed in the county or general court records, within such time from the date of the decree as it ought originally to have been recorded from the date of the deed; and that the deed, when so recorded, shall have the same effect and consequence as if recorded agreeably to the twelfth* section of the act, entitled, an act for enlarging the powers of the high court of chancery; provided, that the petitioner or petitioners shall give such notice of his, her or their application, as the chancellor shall direct. (*eleventh)

See note to 1791, ch. 79, sec. 2, ante page 284.

SEC. 4. *And be it enacted*, That if any person, having contracted for the sale of any lands, tenements or hereditaments, and not having conveyed the same, hath died, or shall die, without leaving an heir known of and capable of inheriting his real estate, it shall be lawful for the chancellor, upon a bill filed by the person entitled to the conveyance, and such notice being given in the public newspapers, or otherwise, as the chancellor shall direct, to decree that the legal title and estate shall be vested in the person entitled to such conveyance, according to the terms of the contract, and thereupon, and by virtue of such decree, such legal title and estate shall be transferred and vested accordingly; and if the person filing his bill as aforesaid shall not have paid the whole purchase money, the chancellor may order that such purchase money shall be paid, or secured in such manner as he shall think most safe and proper, for the benefit of the legal representative of the person dying as aforesaid. And by decree, vest the legal title, &c.

SEC. 5. *Provided always*, That if any person or persons against whom any decree shall be made by virtue of this act, his, her or their heirs, devisees or representatives, or any person claiming under them, shall appear in the court of chancery at any time not exceeding eighteen calendar months from the time of making such decree, and request a review of the same, the chancellor, upon a bill filed by such person or persons, shall proceed to an examination of the matters in dispute, and to a final decree according to the equity of the case, in the same manner as if the said person or persons, or those under whom they claim, had originally appeared before him. Persons aggrieved, &c. may have a review, &c.